IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR.

O R D E R

(1) S.B. CIVIL WRIT PETITION NO. 4553/2002
NAVAL KISHORE Vs. STATE OF RAJASTHAN & ORS
&
(2) S.B. CIVIL WRIT PETITION NO. 4552/2002
SHIVAL KISHORE Vs. STATE OF RAJASTHAN & ORS.

Date: 04.12.2006

HON'BLE MR. K.S. RATHORE, J.

Mr. Ravi Shankar Sharma for the petitioners.
Mr. B.S. Chhaba, Addl. GA for the State.
Mr. Rakesh Sharma for the respondents.

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Since both the writ petitions are similar in nature, therefore, they are being decided by this common order.

The petitioners are seeking writ, order or direction directing the respondents to pay equal salary with all benefits which is being paid to a regularised pump driver i.e. in the pay scale of Rs. 1450/- with all other benefits and to regularise the services of the petitioners on the post of pump driver with all consequential benefits.

Since the petitioners have not rendered services continuously for 10 years or more and have only rendered three years services and now they are not in service, therefore, in view of the ratio decided by

the Hon'ble Supreme Court in the case of ***Secretary, State of Karnataka & others Vs. Uma Devi (3) & others, decided on 10.04.2006 and reported in (2006)4 SCC 1,*** no case in favour of the petitioners is made out.

Consequently, the writ petition fails and the same is herewith dismissed.

However, at the request of the learned counsel for the petitioners, the petitioners are given liberty to approach before the Labour Court.

(K.S. RATHORE),J.

/KKC/